

AF/1616
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/030,971 ✓ Confirmation No.: 2813
Applicant : Nils BRUNNER *et al.*
Filed : January 15, 2002
Title : COMPOSITION HAVING STEROIDAL ESTROGEN EFFECT
WITHOUT INCREASING THE RISK OF BREAST CANCER
TC/Art Unit : 1616
Examiner: : Qazi, Sabiha Naim, Ph.D.

Docket No. : 60730.000002
Customer No. : 21967

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, applicants submit attached Form PTO-SB/08A (modified) for consideration and request the reference cited therein be made of record by the U.S. Patent and Trademark Office in the above-captioned application.

Applicants respectfully point out that the submission of the listed reference in this Information Disclosure Statement is not an admission that it is prior art or that it is material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

For the convenience of the Examiner in considering the cited reference, a copy of the cited reference is enclosed with this communication. In considering the cited reference, it may be noted by the Examiner that the reference may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the cited reference. Any such markings were either

present on the copy of the cited reference obtained by the associated individuals, or were made thereon during the study of the reference by the associated individuals.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

In accordance with 37 C.F.R. § 1.97(d), this information disclosure statement is being filed before the mailing date of a Notice of Allowance for the above-identified patent application. Accordingly, this information disclosure statement is accompanied by a statement under 37 C.F.R. § 1.97(e); and a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. §1.97(e)

Applicants state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) in the above-identified patent application more than three months prior to the filing of this information disclosure statement.

Concise Explanation of Relevance

Applicants provide herewith a translation in the English language of the most relevant portion of the cited reference, as was provided to Applicants' representatives. Applicants submit that the translated portion of the cited reference provides a concise explanation of the relevance of the reference, namely evidencing a change in the taxonomic identification of *Cimicifuga racemosa* to *Actaea racemosa*.

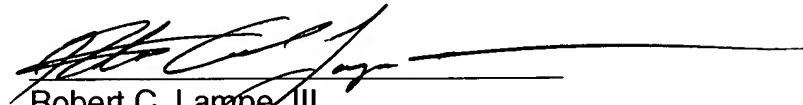
In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: January 13, 2005

By:


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Substitute for form 1449A/PTO

JAN 13 2005

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/030,971
Filing Date	January 15, 2002
First Named Inventor	Nils BRUNNER et al.
Art Unit	1616
Examiner Name	Qazi, Sabiha Naim, Ph.D
Attorney Docket Number	60730.000002

U.S. PATENT DOCUMENTS

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

*Examiner Initials	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code:	Number - Kind Code (if known)				YES	NO
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
		ELSE ALS, "Actaea druemunke og solvlys," Haven no. 10, October 2004; pp. 48-52, published by Det Danske Haveselskab, Denmark (including 2 pages of a partial English translation).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.